

Exhibit D

DIRECTOR'S OFFICE

13.10 DOC
Attachment 2
Page 1 of 1

Rhode Island Department of Corrections

APR 03 2015

REQUEST FOR RESOLUTION OF GRIEVANCE

DEPARTMENT OF CORRECTIONS

2015-002884

Instructions: Type or print using a ballpoint pen. All information must be legible on all copies. If more space is needed, attach additional sheets in quadruplicate. Attach copy of previous Form (Informal Resolution Form).

To: Level 1, Warden
(circle one)

Level 2, Director

From: ALIC CERULLO MI 99591
(name) First Last MI RIDOC ID #

Facility: ISC HSC MAX MED MED II MIN WR WOM/DIX COM.COMF.
(circle one)

PART A - INMATE REQUEST

Facility where alleged incident occurred: AT HIGH SECURITY
Grievance / Complaint: UPON ARRIVING TO E-MOD ON 2-27-15 AND ENTERING CELL #12 I ASKED TO CLEAN THE CELL AND C/O CAISE REFUSED ME TO CLEAN. THEN I ASKED FOR MY STAMPS, ENVELOPES + PAPER AND A PEN HE REFUSED ME AND SENT ALL MY PAPERWORK ALL STUFF I COULD HAVE IN MY CELL DOWNSTAIRS. NOW THE NEXT DAY SATURDAY 2-28-15 I ASKED FOR ALL MY STUFF AGAIN AND A LIEUTENANT, AND HE C/O CAISE SHUT
3/21/15 ALICERULLO
Date Inmate's Signature
3/11/15 [Signature]
Date Received Staff Member's Signature

PART B - RESPONSE

Date Received

Signature - Associate Director
Warden

Investigation complete, your transfer to E Module was a result of your violation of institutional rules; your subsequent behavior and status are a result of your own actions. You never attempted to resolve any of these issues at the lowest level possible via "Pink Slip" written to the area Lieutenant. Your property was given back to you once cleared by S.I.U. Staffs actions were consistent with normal operations for E-Module. Grievance Denied.

NOTE: In the future, you are hereby reminded that you may only grieve one issue per grievance form. Multiple issues on the same form will result in the grievance being returned to you until properly filled out.

4-1-15
Date

[Signature]
Associate Director - Warden

Distribution:

Level 1: White - Warden: Canary - Dept. Griev. Coord.: Pink - Inmate: Goldenrod - Inmate
Level 2: White - Dept. Griev. Coord.: Canary - Warden: Pink - Inmate: Goldenrod - Inmate

Rhode Island Department of Corrections

Grievance Procedure

Investigator's Report

INSTRUCTIONS: This form is provided to facilitate your investigation of the grievance you have been assigned. As stated in the policy, your job is to determine the validity of the grievance in light of facts, discrepancies, disparities in dispositions and/or other pertinent information. Specifically, you will review these files and memoranda, interview any witnesses or other persons who may be able to reveal relative information. In cases where specific depart is referred to in the complaints, always interview the department head involved and include his/her comments. Finally, you will make conclusions based on your findings and prepare a draft response which will be submitted to the person to which the grievance is directed for his review. The time limit for responses is five (5) working days, exclusive of weekends and holidays. **THIS FROM MUST BE TYPED.**

ISC ☐ MAX ☐ MED ☐ MED II ☐ WR ☐ MIN ☐ WD ☐ HSC ☒ CC ☐

TO: WARDEN ☒ DIRECTOR ☐ OTHER ☐

INMATE NAME: Cerullo, Alec

I.D. NUMBER: 99591

DATE RECEIVED: 3/25/2015

GRIEVANCE NUMBER: 2015 -0028

DATE OF GRIEVANCE: 3/21/2015

DATE OF INCIDENT: 3/17/2015

1. Does the grievance pertain to a complaint against a specific staff member? Yes
If so, you will notify a union representative immediately for his/her assistance in the investigation.
2. What is the problem? Inmate Cerullo claims that Officer Calise (E-Module Dayroom Officer) refused to allow him to clean his cell, turned the water in his cell off, and refused to give him personal property that is allowed in E-Module.
3. Where did the problem occur? HSC E-Module Cell #12
4. Why did the problem occur? Inmate was transferred to E-Module Cell #12 on 2/28/2015, due to a request from SIU Begones involving inmate Cerullo circumventing mail procedures. (See Discipline Report # 282345, 3-4-2015). After the transfer, inmate claims he was mistreated by staff and not allowed his personal property.
5. Witnesses and/or other parties who can provide information:
 - A. Name: Officer Calise
His/her comments relative to the complaint: Officer Calise reports; when inmate Cerullo was transferred to Cell #12, he inspected the cell and it was clean, the cell water was turned off because of threats inmate made about "going off" if he didn't receive his property and that all of inmate Cerullo's property was sent to the committing room when he was transferred to E-Module.
 - B. Name: Lieutenant Galligan
His/her comments relative to the complaint: Lieutenant Galligan (DEF Lieutenant) reports he never received a request slip from inmate concerning his property, and that inmate never reported or submitted a request slip concerning his alleged mistreatment.

Rhode Island Department of Corrections

Grievance Procedure

Investigator's Report

6. Do they verify the complaint? No
7. Inmates suggested resolution: Inmate has stated no specific resolution.
8. Are there any discrepancies? No If yes, enter the name of witness and describe the discrepancy:
9. Investigator's conclusion: With a reference to following the proper Grievance Procedure, it is clear that inmate never attempted to solve his issues and concerns at the lowest level (Lt. Galligan). It appears that inmate Cerullo has used the Grievance Process to make a statement concerning his alleged mistreatment. It has also come to this investigator knowledge that these concerns have been forwarded to the Office of Inspections by inmate Cerullo's family. These instances alone merit dismissal of this grievance.

Continuing, the actions of Officer Calise were consistent with the normal operations of E-Module. When transferred to E-Module, inmates normally do not clean the cell they are assigned to unless the officers determines it is necessary. Inmates water was turned off during the shift because of threats made by inmate Cerullo. Officer Calise reported these threats to this Lieutenant (Tierney) and when asked to shut off inmates water, this request was approved. Inmates water was turned on during the shift to allow for the flushing of the toilet and for inmate to drink water. With respect to inmates personal property, the standard procedure for transfers to new cell assignments was followed. Also, inmate was not allowed access to his property until cleared by SIU Begones.

With respect to the "pen" issue, Officer Calise states inmate was given a segregation/safety pen shortly after he arrived in E-Module. Several days later, Officer Calise reports inmate requested another pen and was told that seg/safety pens are swapped on a one-for-one basis. Inmate then stated he had lost his pen and was informed it would not be immediately replaced.

Inmate Cerullo's transfer to E-Module was a results of his violation of institutional rules, his subsequent behavior and status a result of his own actions. Inmate continually finds himself under the watchful eyes of the SIU investigators and runs afoul of institutional rules. His alleged "mistreatment" is the appropriate response to his continued deviance.

10. Investigator's suggested resolution: Denial of Grievance.

Date: 4/1/2015

Investigator's Signature: _____

Title: Lieutenant Tierney

CONTINU FROM GRIEVANCE FORM

MY WATER TO MY CELL OFF NOW I HAD NO
 WATER TO DRINK OR TO USE THE TOILET ALL DAY
 HIS WHOLE SHIFT HE LEFT ME WITH NO WATER
 (8 HRS) AND REFUSED ME OF EVERYTHING. IF U VIEW
 THE CAMERA U WILL SEE HIM SHUT MY WATER OFF
 AT BREAKFAST AND NOT TURN IT BACK ON TILL
 HIS SHIFT WAS OVER. NOW FROM THIS POINT ON
 HE REFUSED ME OF EVERYTHING. I WENT
 10 DAYS WITHOUT A SHOWER + A RAZOR TO SHAVE
 AND ALSO REFUSED ME OF CELL CLEANING FOR
 THE WHOLE TIME. EVEN ON CELL CLEANING DAYS
 ON MARCH 4TH AND ALSO MARCH 11TH 2015
 HE & CAISE WOULD NOT OPEN MY TRAP AT
 ALL TO CLEAN OR SHOWER. VIEW THE CAMERA
 AND U WILL SEE. I EVEN WENT 2 WKS
 WITHOUT A PEN SO I COULDN'T WRITE NO
 REQUEST SLIPS OUT. I SAT IN MY CELL
 JUST WITH MY SHEETS + BLANKET FOR 2 WKS
 BEFORE RECEIVING A PEN ON SAT-MARCH 14TH 2015
 AT THE END OF THE DAY AND STILL REFUSED
 TO GET ME ALL MY STUFF THAT I COULD HAVE.
 COULDN'T EVEN WRITE A LETTER. REFUSED
 ME OF STAMPS, ENVELOPES PAPER THE WHOLE
 ENTIRE TIME I WAS THERE.